

in a circular enclosed in the packages, falsely and fraudulently represented that the article would be effective as a treatment for diabetes, would be effective when used in the place of insulin as a treatment for diabetes, and when used in connection with the diet recommended would be effective as a treatment for diabetes.

On April 25, 1936, the defendants, the Dia-Bet Laboratories Corporation, Samuel R. Turner, and George M. Wolpe, entered pleas of guilty, and the court imposed a fine of \$200 each on the Dia-Bet Laboratories Corporation and Samuel R. Turner, and deferred sentence as to George M. Wolpe.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

26119. Misbranding of Eucaline (Regular), Eucaline Tonic Compound (Tasteless), and Admirine. U. S. v. 16 Dozen Bottles of Eucaline (Regular), 15¾ Dozen Bottles of Eucaline Tonic Compound (Tasteless), and 8 Dozen Bottles of Admirine. U. S. v. 430 Bottles of Admirine. Default decrees of condemnation and destruction. (F. & D. nos. 23999, 24000, 31616. I. S. nos. 015034, 015085, 015086. Sample no. 46407-A.)

These cases involved interstate shipments of articles described as Eucaline (Regular), Eucaline Tonic Compound (Tasteless), and Admirine. The article described as Eucaline Tonic Compound (Tasteless) contained acetanilid in a quantity less than that stated on the label, and the label bore a deceptive and misleading representation that the article was free from dangerous medicine. The labels and packages of all three of the articles bore and contained false and fraudulent representations regarding their curative or therapeutic effects.

The United States attorney for the Western District of Arkansas filed in the district court on September 12, 1929, a libel praying seizure and condemnation of 16 dozen bottles of an article labeled "Eucaline (Regular)", 15¾ dozen bottles of an article labeled "Eucaline Tonic Compound (Tasteless)", and 8 dozen bottles of an article labeled "Admirine" at Texarkana, Ark., and on November 5, 1933, a libel praying seizure and condemnation of 430 bottles of Admirine at Texarkana, Ark. It was alleged in the libel first referred to that the articles therein described had been shipped in interstate commerce on or about June 6 and July 31, 1929, and in the second libel, that the article therein described had been shipped in interstate commerce on or about February 16, April 3, June 27, and August 26, 1933, by the Eucaline Medicine Co., from Dallas, Tex., and that the articles were misbranded in violation of the Food and Drugs Act.

Analyses showed that the Eucaline Regular consisted essentially of quinidine and cinchonidine alkaloids (4.58 grains per fluid ounce), iron chloride, an extract of a laxative plant drug, eucalyptus oil, a small proportion of alcohol, sugars, and water; that the Eucaline Tonic Compound (Tasteless) consisted essentially of acetanilid (2.04 grains per fluid ounce), an extract of a laxative plant drug, eucalyptus and peppermint oils, and a small proportion of alcohol, sugar, and water, with quinidine and cinchonidine alkaloids (6.04 grains per fluid ounce); that one shipment of the Admirine consisted essentially of quinidine and cinchonidine alkaloids (4.17 grains per fluid ounce) an iron salt, a laxative plant drug, capsicum, eucalyptus oil, sugars, a trace of alcohol, and water; and that the remaining shipment of Admirine contained magnesium sulphate (8.4 grams per 100 milliliters), potassium iodide (0.5 gram per 100 milliliters), small proportions of sodium, iron, chlorine, and phosphorus compounds, an extract from a plant drug, and water.

The article labeled "Eucaline Tonic Compound (Tasteless)" was alleged to be adulterated in that it was sold under the standard of strength, "Acetanilid 3 grains to each fluid ounce"; whereas its strength fell below such professed standard. Said article was alleged to be misbranded in that the statement "Acetanilid 3 grains to each fluid ounce", borne on the carton and bottle label, was false and misleading. Said article was alleged to be misbranded further in that the package failed to bear a statement on the label of the quantity or proportion of acetanilid contained therein. Said article was alleged to be misbranded further in that certain statements regarding the curative or therapeutic effects of the article, borne on the carton and bottle label and contained in an accompanying circular, falsely and fraudulently represented that the article would be effective as a remedy for malaria, chills, fever, and la grippe.

The article labeled "Eucaline (Regular)" was alleged to be misbranded further in that statements regarding the curative or therapeutic effects of the article, borne on the carton and bottle labels and contained in an accompanying circular, falsely and fraudulently represented that the article would be effective as a remedy for malaria, chills, fever, la grippe, and enlarged spleen.

The article labeled "Admirine" was alleged to be misbranded in that certain statements regarding the curative or therapeutic effects of the article, borne on the carton label, falsely and fraudulently represented that the article would be effective as a body builder, blood medicine and blood purifier, would stimulate the kidneys; and would be an effective remedy for malaria, chills and fever, tired feeling, dizziness, belching of gas, sour stomach, weakness, indigestion, foul breath, coated tongue, nervousness, sallowness, and different forms of blood troubles caused by malaria poisoning.

On March 4 and November 18, 1935, no claimant having appeared, decrees of condemnation were entered and it was ordered that the products be destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

26120. Misbranding of Hawley's Ointment, and Vagitone. U. S. v. 40 Packages of Hawley's Ointment and 8 Packages of Vagitone. Default decrees of condemnation and destruction. (F. & D. nos. 31278, 31279. Sample nos. 46402-A, 46403-A.)

This case involved interstate shipments of articles described as Hawley's Ointment and Vagitone, the labels and packages of which bore and contained false and fraudulent representations regarding their curative or therapeutic properties.

On November 1, 1933, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 40 packages of Hawley's Ointment and 8 packages of Vagitone at Texarkana, Ark., alleging that the articles had been shipped in interstate commerce on or about June 7 and 13, 1933, by the Vincent Laboratories, from Texarkana, Tex., and that they were misbranded in violation of the Food and Drugs Act as amended.

Analyses showed that Hawley's Ointment consisted essentially of lanolin, camphor, and boric acid; and that the Vagitone consisted essentially of glycerin, resorcinol, and boric acid, with small amounts of zinc compounds, quinine sulphate, oxyquinoline sulphate, and thymol.

Hawley's Ointment was alleged to be misbranded in that statements regarding its curative or therapeutic effects, borne on the carton and bottle labels and contained in an accompanying circular, falsely and fraudulently represented that the article when applied as directed would be effective for the prevention of influenza and for the treatment of catarrh, catarrhal headache, hay fever, sore throat, croup, and all inflammatory conditions where an external application was indicated.

Vagitone was alleged to be misbranded in that statements regarding its curative or therapeutic effects, borne on the carton and bottle labels and contained in an accompanying circular, falsely and fraudulently represented that the article when applied as directed would be an effective remedy in the treatment of leucorrhea, vaginal catarrh, inflammatory diseases of the vaginal tract, inflammation of the genital organs, and the various diseases of the vagina and uterus.

On November 18, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the products be destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

26121. Misbranding of Melatol. U. S. v. Melatol Laboratories, Inc., et al. Tried to jury. Verdict of guilty. Fines, \$1,200 and costs. (F. & D. no. 31359. Sample nos. 28166-A, 32110-A.)

This case involved an interstate shipment of Melatol the package of which bore and contained representations regarding its curative and therapeutic effects that were false and fraudulent.

On October 23, 1934, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Melatol Laboratories, a corporation, and Joseph W. Spiker and Frank W. Kimball, officers of said corporation, Oakland, Calif., charging shipment by said defendants in violation of the Food and Drugs Act, as amended, on or about March 6, 1933, from the State of California into the State of Colorado of a quantity of Melatol that was misbranded.

Analysis showed that the article consisted essentially of a crude oil.

The article was alleged to be misbranded in that statements regarding the curative and therapeutic effects of the article, borne on the package and contained in an accompanying circular, falsely and fraudulently represented that the article was in whole or in part composed of or contained ingredients or